



Travis County Commissioners Court Agenda Request

Meeting Date: August 27, 2013

Prepared By/Phone Number: Lori Clyde/854-4205

Elected/Appointed Official/Dept. Head: Cyd Grimes

Commissioners Court Sponsor: Judge Biscoe

Agenda Language: APPROVE SOLE SOURCE EXEMPTION FOR INDIVIDUAL COMPONENTS, SOFTWARE, HARDWARE AND SUPPORT SERVICES RELATED TO HART INTERCIVIC'S HART VOTING SYSTEM (HVS).

Purchasing Recommendation and Comments: Purchasing concurs with department and recommends approval of requested action. This procurement action meets the compliance requirements as outlined by the statutes.

The County Clerk's Office recommends approval of this Sole Source Exemption. The HVS and/or its individual components, software, hardware and support services may only be purchased or licenses from Hart InterCivic, Inc. in the State of Texas. The HVS is certified by the Texas Secretary of State for use in elections conducted in the State of Texas. Only Hart InterCivic, Inc. personnel may configure the HVS software and hardware and any third party components within the certification or approval guidelines. Hart InterCivic, Inc. is the only vendor that can provide products and services related to the Hart Voting System.



DANA DeBEAUVOIR
Travis County Clerk

Elections Division
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512-854-4996 (voice); 512-854-9075 (fax)
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August 12, 2013

TO: Cyd Grimes, Purchasing Agent
 Lori Clyde, Purchasing Agent Assistant

FROM: Dana DeBeauvoir, County Clerk

RE: Request for Sole Source Exemption of Hart InterCivic's Hart Voting System
 (HVS) components, software, and support services

This letter is regarding Hart InterCivic's Hart Voting System (HVS) and its associated Hart software and Hart hardware. The HVS and/or its individual components, software, and support may only be purchased or licensed from Hart InterCivic, Inc. in the State of Texas. The license to use the software may only be issued by Hart. Maintenance for the Hart software and Hart hardware is only provided by Hart.

The Hart Voting System (HVS) software applications are a proprietary group of products necessary for an authorized Hart customer to accomplish ballot creation, election management, tabulation and maintenance of the HVS equipment. The software and voting equipment will enable the customer to comply with the Help America Vote Act (HAVA) of 2002. The HVS software and equipment is certified by the Texas Secretary of State for use in elections conducted in the State of Texas. Hart InterCivic, Inc. is the only vendor capable of and authorized to provide support for Hart's HVS system and products under the HVS Warranty, Support, and License Agreement between Hart and a customer.

The Travis County Clerk Elections Division recommends moving forward with this enhancement.

August 15, 2013

TO: Commissioners Court
Travis County, Texas

SOLE SOURCE ACQUISITION FROM HART INTERCIVIC, INC. FOR
INDIVIDUAL COMPONENTS, SOFTWARE, HARDWARE AND SUPPORT
SERVICES RELATED TO HART INTERCIVIC'S HART VOTING SYSTEM (HVS)

I certify that the purchase of Individual Components, Software, Hardware and Support Services Related to Hart Intercivic's Hart Voting System (HVS) for Travis County constitutes a sole source procurement, and is only available through Hart InterCivic, Inc. I, therefore, find that this is a sole source purchase pursuant to V.T.C.A. Local Government Code 262.024 (a) (7) (A) and is exempt from competitive bidding.

This statement is submitted pursuant to V.T.C.A. Local Government Code 262.024 and is to be entered into the Commissioners Court minutes.

Cyd V. Grimes, C.P.M.
Travis County Purchasing Agent

APPROVED () DISAPPROVED ()

BY COMMISSIONERS COURT ON

(DATE)

(COUNTY JUDGE)

**ORDER EXEMPTING
PURCHASE OF INDIVIDUAL COMPONENTS, SOFTWARE, HARDWARE
AND SUPPORT SERVICES RELATED TO HART INTERCIVIC'S HART
VOTING SYSTEM (HVS) FROM REQUIREMENTS OF THE COUNTY
PURCHASING ACT**

WHEREAS, the Commissioners Court of Travis County, Texas has received a Sole Source Justification from Travis County Clerk and an Affidavit of Single Source sworn and submitted by the Purchasing Agent in accordance with TEXAS LOCAL GOVERNMENT CODE, 262.024 (a) (7) (A) and

WHEREAS, based on the evidence presented, the Commissioners Court of Travis County, Texas finds that there is only one source available for the purchase of individual components, software, hardware and support services related to Hart Intercivic's Hart Voting System (HVS) for Travis County.

NOW, THEREFORE, the Commissioners Court of Travis County, Texas hereby orders that the purchase of individual components, software, hardware and support services related to Hart Intercivic's Hart Voting System (HVS) from Hart InterCivic, Inc. is exempt from the requirements of the County Purchasing Act because it is a purchase of items that can be obtained from only one source.

Signed and entered this ____ day of _____, 2013.

Samuel T. Biscoe, County Judge
Travis County, Texas

Ron Davis
Commissioner, Precinct 1

Bruce Todd
Commissioner, Precinct 2

Gerald Daugherty
Commissioner, Precinct 3

Margaret Gomez
Commissioner, Precinct 4